

## LUFKIN DIVISION

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The Court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the Court concludes the objections are without merit. Plaintiff contends that he is not subject to the “three strikes” bar of

§ 1915(g). This claim lacks merit because plaintiff has clearly accumulated three strikes. *Johnson v. Thaler*, 541 F. App'x 179, 480 (5th Cir. 2013) (imposing sanction bar after noting that plaintiff had accumulated three strikes). Plaintiff has not demonstrated that he is in imminent danger of serious physical injury. Therefore, the action should be dismissed without prejudice.

**ORDER**

Accordingly, plaintiff's objections (document no. 5) are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge (document no. 3) is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

So **ORDERED** and **SIGNED January 7, 2019**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, Senior District Judge